

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION**

## ORDER

This matter was referred to the Honorable James G. Welsh, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b)(1)(B), for proposed findings of fact and a recommended disposition. The Magistrate Judge filed a report and recommendation on January 15, 2014, stating that plaintiff has moved the court for entry of an order of dismissal without prejudice, and recommending that plaintiff's motion be granted and this case be dismissed without prejudice pursuant to Rule 41(a)(2), Fed. R. Civ. P. No objections to the report and recommendation have been filed and the court is of the opinion that the report should be adopted.

It is accordingly **ORDERED** and **ADJUDGED** that the report and recommendation is **ADOPTED** in its entirety, this matter is **DISMISSED** without prejudice, and this case is **STRICKEN** from the active docket of the court.

The Clerk is directed to send a certified copy of this Order to plaintiff and to counsel of record.

Entered: February 7, 2014

Is/ Michael F. Urbanski

Michael F. Urbanski  
United States District Judge